

5/8/87

HB 1041  
C. Evans

SUBJECT: Sick leave for school-district employees

COMMITTEE: Public Education: favorable, without amendment

VOTE: 6 ayes--Haley, Aikin, Culberson, Dutton, Glossbrenner, Grusendorf

0 nays

3 absent--G. Luna, Colbert, Hammond

WITNESSES: For--June Karp, Texas Federation of Teachers; Charles Beard, Texas State Teachers Association (Signing in support but not testifying--Eva Jo Kasinger, Texas Classroom Teachers Association; Michael McLamore, Association of Texas Professional Educators)

Against--None (Signing against but not testifying-- Jon Tate, Texas Association of Community Schools

On--William Kirby, commissioner, Texas Education Agency

BRIEFING: HB 1041 would expand the state minimum sick leave program, which guarantees a minimum of five sick-leave days per year to each teacher, to apply to all regular employees of a school district. HB 1041 would make all regular employees of a school district eligible for sick leave for an illness, a family illness or death, and for recuperation from a physical assault that occurred on the job.

HB 1041 would repeal the secs. 19.904(b) and 19.904(d), Education Code, which require the Texas Education Agency to reimburse school districts a percentage of all the sick leave taken by teachers and professionals in the district. The bill also would repeal sec. 21.919, Education Code, which permits a school district to pay the accumulated sick leave of non-professional employees when they quit.

SUPPORTERS SAY: HB 1041 would ensure that school districts treat all employees the same by requiring that all employees a school district receive a minimum of five days of sick leave a year. Currently, the state only requires that school districts give professional personnel five sick-leave days each year. The support staff deserve the same benefits.

The state eliminated the reimbursement to school districts for a portion of sick leave taken by professional staff beginning in fiscal year 1987 as a way to eliminate a cost more appropriately assumed by local school districts. HB 1041 would eliminate the statutory provisions for partial state reimbursement of sick leave, in order to make the current state savings permanent. By including support staff under the statutory sick leave requirement, the bill would also ensure that school districts would not try to make up for the loss of partial state reimbursement for professional-employee sick leave by cutting or eliminating sick leave for support staff.

OPPONENTS  
SAY:

HB 1041 would mandate school districts to give all employees five days sick leave a year. Yet it would not even help fund the costs associated with the program. The state should not mandate a program for which it is not willing to help pay.

The state has already cut off partial payments for sick leave for the professional staff, and school districts would bear the entire cost of that program. According to the Texas Education Agency, the state portion of funding professional sick leave ran over \$5 million each year. Expanding the sick leave requirement to all school district staff would even cost more. The wealthy school districts may be able to absorb the costs associated with this program, but the poorer school districts would be forced to transfer funds to pay for sick leave that would otherwise go to educate children.

NOTES:

The companion bill, SB 668 by Truan, was referred to the Senate Education committee on March 5.